

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1235

Introduced by Assembly Member Roger Hernández

February 18, 2011

~~An act to amend Section 65100 of the Government Code, relating to local planning.~~ *An act to add Section 33460 to the Health and Safety Code, relating to redevelopment.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1235, as amended, Roger Hernández. ~~Local planning.~~ *Redevelopment: property: hazardous substance release: immunities.*

The Polanco Redevelopment Act specifies that a redevelopment agency that undertakes and completes an action, or causes another person to undertake and complete an action, to remedy or remove a hazardous substance release on, under, or from property within a redevelopment project, in accordance with a cleanup or remedial action plan prepared by a qualified independent contractor and approved by the department or a California regional water quality control board or a local agency, is not liable, with respect to that release only, under the Porter-Cologne Water Quality Control Act, and specified hazardous waste control and storage provisions, or any other state or local law providing liability for remedial or removal actions for releases of hazardous substances.

This bill would apply the immunities afforded to a redevelopment agency under these provisions to any person or entity that acquires property previously owned by a redevelopment agency upon the dissolution of that redevelopment agency.

~~The Planning and Zoning Law provides that there is a planning agency in each city and county with the powers necessary to carry out the purposes that law.~~

~~This bill would make a technical, nonsubstantive change to that law.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 33460 is added to the Health and Safety*
2 *Code, to read:*

3 *33460. Any immunity specified in Section 33459.3 shall apply*
4 *to any person or entity that acquires property formerly owned by*
5 *a redevelopment agency, if the redevelopment agency has been*
6 *dissolved.*

7 ~~SECTION 1. Section 65100 of the Government Code is~~
8 ~~amended to read:~~

9 ~~65100. There is in each city and county a planning agency with~~
10 ~~the authority necessary to carry out the purposes of this title. The~~
11 ~~legislative body of each city and county shall by ordinance assign~~
12 ~~the functions of the planning agency to a planning department,~~
13 ~~one or more planning commissions, administrative bodies or~~
14 ~~hearing officers, the legislative body itself, or any combination~~
15 ~~thereof, as it deems appropriate and necessary. In the absence of~~
16 ~~an assignment, the legislative body shall carry out all the functions~~
17 ~~of the planning agency.~~